

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

SHERYL C.¹

Case No. 6:20-cv-00150-MTK

Plaintiff,

ORDER

v.

COMMISSIONER, Social Security
Administration,

Defendant.

KASUBHAI, United States District Judge:

Plaintiff Sheryl C. brought this action seeking review of the Commissioner's final decision denying her applications for disability insurance benefits under the Social Security Act. The Court reversed the Commissioner's decision and remanded for calculation and payment of benefits. ECF No. 26. Plaintiff now seeks an award of fees pursuant to [42 U.S.C. § 406\(b\)](#). ECF No. 31. The motion is unopposed. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court has reviewed the record in this case and finds that the requested fees are reasonable.

¹ In the interest of privacy, the Court uses only the first name and last name initial of non-government parties whose identification could affect Plaintiff's privacy.

Plaintiff's motion is therefore GRANTED as follows: Kevin Kerr is allowed an attorney's fee under the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$16,581.25, to be paid in accordance with agency policy. Plaintiff's counsel shall refund the amount of \$2,885.61 already received by counsel under the Equal Access to Justice Act. Any funds withheld by the Commissioner in anticipation of an order under Section 406(b), less an administrative assessment pursuant to 42 U.S.C. 406(d), may be paid to Kevin Kerr, using the information on file with the Agency, consistent with this order.

IT IS SO ORDERED.

DATED this 13th day of December 2024.

s/ Mustafa T. Kasubhai
MUSTAFA T. KASUBHAI (He / Him)
United States District Judge